

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed May 12, 2004. At the time of the Office Action Claims 1-22 were pending in the Application. In order to advance prosecution of this case, Applicants amend Claims 1-5, 10-14, and 17-18. Applicants add new Claims 23-33. Claims 1-33 are currently pending in the Application. Applicants respectfully request reconsideration and favorable action in this case.

New Claims

Applicants have amended the Application to add new Claims 23-33. Applicants respectfully contend that Claims 23-33 of the present Application are fully supported by the specification of the present Application as originally filed. Applicants also respectfully submit that new Claims 23-33 are patentably distinct from the references cited by the Office Action.

Specifically, Claim 33 is directed to a method of allocating call resources that includes a media gateway receiving a request to initiate a conference call between conference call participants. The conference call is initiated and the media gateway receives unmixed packet streams from the conference call participants. The unmixed packet streams are transmitted to a first call resource which is used to mix the unmixed packet streams. The media gateway also receives a request to initiate a second conference call between conference call participants. The second conference call is initiated and the media gateway receives unmixed packet streams from the second conference call participants. The unmixed packet streams from the second conference call are transmitted to a second call resource which is used to mix the

unmixed packet streams from the second conference call. It is determined that the first call resource can mix both the first and second unmixed packet streams, so the second unmixed packet streams are duplicated and transmitted to the first call resource. The first call resource is used to mix the duplicated second unmixed packet streams while also mixing the first unmixed packet streams, and the transmission of the second unmixed packet streams to the second call resource is ended. The portions of the cited references relied upon by the Office Action do not contain each of these limitations. Therefore, Applicants respectfully submit that Claim 33 is patentably distinguishable from the references cited in the Office Action.

Section 102 Rejections

The Examiner rejects Claims 1-17 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,369,694 issued to Bales et al. ("Bales"). Applicants respectfully traverse these rejections for the reasons stated below.

Claim 1 is directed to a method for conducting a transfer of a conference call, including receiving media streams from a plurality of endpoints participating in a conference call. A message is received at a media gateway to transfer responsibility for mixing of the media streams from a first call resource to a second call resource and responsibility for mixing of the media streams is transferred from the first call resource to the second call resource based on the message. The portions of the cited reference relied upon by the Office Action do not disclose each of these limitations.

With regard to Claim 1, Bales discloses activation of a meet-me-conference button on a station set which sends a message to a terminal manager application to connect incoming

calls to a conference. See, *Bales* Column 6, Lines 12-63; Figure 5, 501. *Bales* further discloses one switch 107 merging the calls together. See, *Bales* Column 3, Lines 28-29; Figures 1 and 3. *Bales* does not disclose transferring responsibility for mixing of media streams from a first call resource to a second call resource. For at least these reasons, Applicants respectfully submit that Claim 1 is patentably distinguishable over *Bales* and request that the rejection of Claim 1 be withdrawn.

Claims 2-5 depend from independent Claim 1. Therefore, Applicants respectfully submit that Claims 2-5 are patentably distinguishable over the cited art, for example, for the same reasons discussed above with regard to Claim 1.

Claim 6 is directed to a media gateway including a processing module operable to transfer a conference call from a first call resource to a second call resource. As discussed above with respect to Claim 1, *Bales* discloses switch 107 as the only call resource. See, *Bales* Column 3, Lines 28-29; Figures 1 and 3. As *Bales* discloses only one call resource, *Bales* does not disclose transferring a conference call from a first call resource to a second call resource. For at least these reasons, Applicants respectfully submit that Claim 6 is patentably distinguishable over *Bales* and request that the rejection of Claim 6 be withdrawn.

Claims 7-9 depend from, and incorporate all the limitations of, independent Claim 6. Therefore, Applicants respectfully submit that Claims 7-9 are patentably distinguishable over the cited art, for example, for the same reasons discussed above with regard to Claim 6.

Claim 10 is directed to logic encoded in media for conducting a transfer of a conference call and operable to receive media streams from a plurality of endpoints

participating in a conference call. The logic is also operable to receive a message at a media gateway to transfer responsibility for mixing of the media streams from a first call resource to a second call resource, and transfer responsibility for mixing of the media streams from the first call resource to the second call resource based on the message. As discussed above with respect to Claim 1, *Bales* does not disclose each of these limitations. Therefore, Applicants respectfully submit that Claim 10 is patentably distinguishable over the cited art, for example, for the same reasons discussed above with regard to Claim 1.

Claims 11-13 depend from, and incorporate all the limitations of, independent Claim 10. Therefore, Applicants respectfully submit that Claims 11-13 are patentably distinguishable over the cited art, for example, for the same reasons discussed above with regard to Claim 10.

Claim 14 is directed to an apparatus for conducting a transfer of a conference call including means for receiving media streams from a plurality of endpoints participating in a conference call. The apparatus also includes means for receiving a message at a media gateway to transfer responsibility for mixing of the media streams from a first call resource to a second call resource, and means for transferring responsibility for mixing of the media streams from the first call resource to the second call resource based on the message. As discussed above with respect to Claim 1, *Bales* does not disclose each of these limitations. Therefore, Applicants respectfully submit that Claim 14 is patentably distinguishable over the cited art, for example, for the same reasons discussed above with regard to Claim 1.

Claims 15-17 depend from, and incorporate all the limitations of, independent Claim 14. Therefore, Applicants

respectfully submit that Claims 15-17 are patentably distinguishable over the cited art, for example, for the same reasons discussed above with regard to Claim 14.

Section 103 Rejections

The Examiner rejects Claims 18-22 under 35 U.S.C. § 103(a) as being unpatentable over Bales in view of U.S. Patent No. 6,671,262 issued to Kung et al. ("Kung").

In order to establish a *prima facie* case of obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981 (CCPA 1974).

Claim 18 is directed to a method for conducting a transfer of a conference call, the method including receiving unmixed media streams from a plurality of endpoints participating in a conference call, and receiving a message at a media gateway to transfer responsibility for mixing of the unmixed media streams from a first call resource to a second call resource. Responsibility for mixing of the unmixed media streams is transferred from the first call resource to the second call resource upon confirming that the first and second mixed media streams are synchronized. None of the cited portions of the references relied upon by the Office Action, alone or in combination, disclose, teach, or suggest each of these limitations.

As discussed above with regard to Claims 1, 10, and 14, Bales does not disclose, teach, or suggest receiving a message at a media gateway to transfer responsibility for mixing of unmixed media streams from a first call resource to a second call resource, and transferring responsibility for mixing of the unmixed packet streams from the first call resource to the second call resource. These elements are also not supplied by

the cited portions of *Kung*. For at least these reasons, Applicants respectfully submit that Claim 18 is not disclosed, taught, or suggested by *Bales* or *Kung*, alone or in combination, and request that the rejection of Claim 18 be withdrawn.

Claims 19-22 depend from, and incorporate all the limitations of, independent Claim 18. Therefore, Applicants respectfully submit that Claims 19-22 are patentable over the cited art, for example, for the same reasons discussed above with regard to Claim 18.

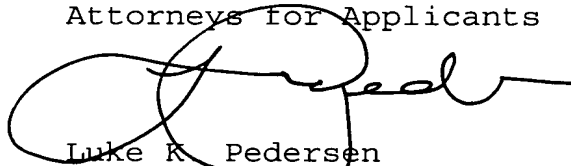
Conclusions

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending Claims. If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

A check in the amount of \$370.00 is enclosed to cover the fee for additional claims. No other fees are believed to be due, however, The Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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